FAX (972) 450-7043

AGENDA

JUNE 13, 2006

WORK SESSION OF THE CITY COUNCIL 6:00 P.M.

AND

REGULAR MEETING OF THE CITY COUNCIL 7:30 P.M.

TOWN HALL 5300 BELT LINE ROAD

	WORK SESSION
Item #WS1 -	Presentation and discussion of results of the City Council Budge Survey.
Item #WS2 -	Discussion regarding Texas Municipal Retirement System.

REGULAR SESSION Item #R1 - Consideration of Old Business. Item #R2 - Consent Agenda.

	CONSENT AGENDA
<u>#2a</u> -	Approval of the Minutes for the May 23, 2006 Council Meeting, and the June 3, 2006 Council Work Session.
<u>#2b</u> -	Consideration and approval of a resolution to award bid to Allied Fencing in the amount of \$27,450 for vinyl-coated chain link fencing to be constructed on the new dog park site east of the Easement Park.
<u>#2c</u> -	Consideration and approval of a resolution to award bid to Allied Builders, Inc. in the amount of \$54,300 for painting of the Blueprints sculpture poles.
<u>#2d</u> -	Consideration and approval of a resolution to award bid to Northstar Construction, Inc., in the amount of \$109,778 for miscellaneous pavement repairs to various streets.

<u>ltem #R3</u> -	Presentation of proclamation to Fan Benno-Caris, Ms. Texas Senior America 2006.
Item #R4 -	Presentation of proclamation to Carol Doepfner for her years of service to the Town of Addison.
<u>ltem #R5</u> -	Presentation of proclamation to the Town of Addison from the DART Board.
<u>ltem #R6</u> -	Presentation of award from Texas City Managers Association to Lea Dunn and Ron Whitehead.
<u>ltem #R7</u> -	Appointment of Mayor Pro Tempore and Deputy Mayor Pro Tempore.
<u>ltem #R8</u> -	Appointment of one member to the Planning and Zoning Commission.
	Attachments:
	 Citizens Academy List List of Planning and Zoning Commissioners
	Administrative Comment:
	Third term for Commissioner Doepfner expired on February 10, 2006. (Hirsch)
<u>ltem #R9</u> -	Appointment of one member to the Addison Board of Zoning Adjustment (BZA).
	Attachments:
	Citizens Academy List List of BZA Members

Administrative Comment:

This item was tabled from the May 23, 2006 meeting. Boardmember Beverly Roberts has moved from the city. BZA appointments do not belong to individual Councilmembers.

Item #R10 -

PUBLIC HEARING regarding, and consideration of approval of, an ordinance amending the Town's zoning ordinance, appendix A of the Code of Ordinances of the Town of Addison, Texas, as amended by adopting zoning district regulations for the Belt Line Road Corridor.

Attachments:

- Council Agenda Item Overview
- 2. Schedule of adoption
- 3. Ordinance
- 4. Codes

The Planning and Zoning Commission Findings:

The Addison Planning and Zoning Commission, meeting in regular session on May 25, 2006, voted to recommend approval an ordinance the Town's zoning ordinance, appendix A of the Code of Ordinances of the Town of Addison, Texas, as amended by adopting zoning district regulations for the Belt Line Road Corridor.

Voting Aye: Bernstein, Chafin, Daseke, Doepfner, Meier, Wood

Voting Nay: None Absent: Jandura

Administrative Recommendation:

Administration recommends approval.

Item #R11 -

Consideration of approval of a final plat for two lots on 1.8128 acres, located at 14731-14741 Inwood Road, on application from Doug Connally and Associates, Inc., represented by Mr. Robert Richardson.

Attachments:

- 1. Docket map
- 2. Staff report
- 3. Plans

The Planning and Zoning Commission Findings:

The Addison Planning and Zoning Commission, meeting in regular session on May 25, 2006, voted to recommend approval of the final plat on application from Doug Connally and Associates, subject to the following conditions:

- A statement must appear on the plat describing what was used for the horizontal control.
- The plat must be signed and sealed by the registered surveyor.
- The plat shall be re-labeled a Final Plat.

Voting Aye: Bernstein, Chafin, Daseke, Doepfner, Meier, Wood

Voting Nay: None Absent: Jandura

Administrative Recommendation:

Administration recommends approval.

Consideration of a resolution authorizing the Cities Aggregation Power Project, Inc., to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2007; authorizing the City Manager or other designated city official to sign a contract with CAPP for the Town of Addison's 2007 and 2008 electricity needs; and committing to budget for energy purchases in 2007 and 2008 and to honor the Town of Addison's commitments to purchase power for its electrical needs in 2007 and 2008

Attachments:

through CAPP.

- 1. Council Agenda Item Overview
- 2. Resolution

Administrative Recommendation:

Administration recommends approval.

Item #R13 -

Council approval is requested of a contract with the law offices of Linebarger, Goggan, Blair, and Sampson, LLP, for legal services associated with the collection of delinquent taxes.

Attachments:

- 1. Council Agenda Item Overview
- 2. Letter from Larry McCallum
- 3. Contract

Administrative Recommendation:

Administration recommends approval.

Item #R14 -

Discussion and presentation of Policies and Strategies for Belt Line Road Redevelopment.

Adjourn Meeting

Posted 5:00 p.m. June 8, 2006 Carmen Moran City Secretary

THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES. PLEASE CALL (972) 450-2819 AT LEAST 48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.

Council Agenda Item: <u>#WS1</u>

SUMMARY:

Presentation and discussion of results of the City Council Budget Survey.

FINANCIAL IMPACT:

None.

BACKGROUND:

As a component of the development of the FY06-07 Budget, staff distributed to the City Council a survey document on May 23rd that asks Council members to rate their satisfaction with the scope and quality of City services and their position on policy issues. These results are utilized in helping staff develop the City Manager's Recommended Budget.

The ratings and comments from the survey documents have been compiled into a summary document that will be discussed at the June 13th City Council meeting. Highlights from the survey results include:

Satisfaction with City Services:

Scale: 0 - No Opinion, 1 - Very Dissatisfied, 2 - Dissatisfied, 3 - Satisfied, 4 - Very Satisfied

Area of Higher Satisfaction:

- Financial reporting/communications (3.9)
- Information Technology Innovative responses to changing conditions (3.9)
- Police patrol response time (3.9)
- Emergency medical services (3.9)
- Garbage/brush collection (3.9)
- Special events (3.9)

Areas of Lower Satisfaction:

- Traffic signalization (2.9)
- Senior citizen programs (2.9)

Position on Policy Issues:

Scale: 1 - Strongly Disagree, 2 - Slightly Disagree, 3 - Neither Agree Nor Disagree, 4 - Slightly Agree, 5 - Strongly Agree

Areas of Strong Agreement:

- Economic development efforts are important to the Town's continued success. (5.0)
- The Town's organizational structure is designed to deliver effective services, (4.9)
- I am generally satisfied with the value of services provided by the Town. (4.9)

Areas of Low Agreement:

- When developing the long-term financial plan, emphasis should be on maintaining or lowering the existing property tax rate. (3.0)
- To balance the budget, more attention should be given to reducing expenditures rather than increasing the tax rate or fees for services. (3.6)

RECOMMENDATION:

Staff recommends that the City Council review and discuss the results from the City Council 2006 Budget Survey.

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

May 23, 2006 6:00 p.m. – Town Hall 5300 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow,

Niemann

Absent: None

<u>Item #WS1</u> – Presentation of the Cavanaugh Feasibility Study.

No action taken.

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Jessica Morgan (Police), Ambrosio Hernandez (Parks), Eric Strong (City Manager), and Monica Hernandez (Fire).

Item #R2 - Consent Agenda.

Item #2a was considered separately.

#2b — Consideration and approval to award bid and a resolution authorizing the City Manager to enter into a contract with American Mechanical Services, Inc., in the amount of \$69,852.00 for Heating, Ventilating, Air-Conditioning (HVAC) Annual Maintenance Services for all Town owned facilities. (Approved Resolution No. R06-048)

#2c - Consideration and approval to purchase (1) 2006 Fork Lift under the Town's Interlocal Agreement with the Texas Local Government Purchasing Cooperative – known as BuyBoard. (Approved)

Councilmember Kraft moved to duly approve the above listed items. Councilmember Mallory seconded. Motion carried.

Voting Aye:

Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay:

None

Absent:

None

#2a - Approval of the Minutes for the May 8, 2006 and May 9, 2006, Council Meetings.

Councilmember Niemann moved to duly approve the Minutes for the

May 8, 2006 and May 9, 2006, Council Meetings subject to one correction. Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None Absent: None

<u>Item #R3</u> – Presentation to Wipe Out Kid's Cancer from proceeds generated through the 2006 Town of Addison Bowl-A-Thon.

A check was presented to Erica Lee, Coordinator with Wipe Out Kids Cancer, in the amount of \$10,085.

<u>Item #R4</u> – Consideration and approval of an ordinance canvassing the results of the municipal election held on May 13, 2006.

Councilmember Niemann moved to duly pass Ordinance No. 006-023 canvassing the results of the municipal election on May 13, 2006, which was held for the purpose of electing three Councilmembers for a full term.

COUNCILMEMBER, FULL TERM

Name of Candidate	Total Votes
Dennis O. Kraft	426
Tom Braun	501
Roger S. Mellow	442
Bill Signs	280

Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None Absent: None

The Oath of Office was administered to Councilmembers Braun, Kraft and Mellow.

<u>Item #R5</u> – Appointment of one member to the Addison Board of Zoning Adjustment (BZA).

This item was tabled.

<u>Item #R6</u> – Update and discussion on an already received homeland security grant for the purchase and installation of a Video Monitoring System at the Art and Events District and a change in the maintenance section.

No action taken.

<u>Item #R7</u> – Consideration and approval of a resolution appointing one member to the DART Board of Directors.

Councilmember Hirsch moved to duly approve Resolution No. R06-049 reappointing Ray Noah to the DART Board of Directors. Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None Absent: None

<u>Item #R8</u> – Discussion and consideration of HUD's Community Development Block Grant program.

Councilmember Niemann moved that the Town of Addison not participate in HUD's Community Development Block Grant program. Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None Absent: None

Item #R9 - Presentation of Financial and Strategic Services Quarterly Review.

No action taken.

<u>Item #R10</u> – Presentation and discussion of Phase I of the Strategic Reviews process.

No action taken.

<u>Item #R11</u> – Presentation of Introduction to the Budget Process.

No action taken.

<u>Item #R12</u> – Presentation and discussion of the first phase of the hotel tax audit conducted by MBIA MuniServices.

No action taken.

EXECUTIVE SESSION. At 9:26 p.m., Mayor Chow announced that the Council would convene into Executive Session to discuss the following items:

Item #ES1 – Closed (executive) session of the City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s), to seek the advice of its attorney(s) about contemplated litigation, and/or on a matter or matters in which the duty of the attorney(s) to the Town Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding and relating to the Addison Airport fuel farm.

Item #ES2 – Closed (executive) session of the City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney to seek the advice of its attorney about pending litigation, to wit: Transcontinental Realty Investors, Inc., et al, v. The City of Addison, Texas, Case No. 03-03457, 160th Judicial District Court, Dallas County, Texas, and on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 552, Tex. Gov. Code.

The Council came out of Executive Session at 10:27 p.m.

There being no further business before the Council, the meeting was adjourned.

Attest:	Mayor	
7 Moot.		
City Secretary	***	0

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

June 3, 2006 9:00 p.m. - Addison Conference Centre, Theatre Lobby 15650 Addison Road Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow, Niemann Absent: None Item #WS1 - General Fund Long Term Update. No action taken. Item #WS2 - Discussion of Council Goals. No action taken. Item #WS3 - Discussion of Vision 2030, Next Big Ideas and Council Projects. No action taken. There being no further business before the Council, the meeting was adjourned. Mayor Attest:

City Secretary

SUMMARY:

Staff recommends that the Council award a bid totaling \$27,450.00 to Allied Fence Company of Dallas for installation of a six foot high, black vinyl coated chain link fence in the dog park site east of the Easement Park. Allied was the lowest bidder out of four bids submitted, which are summarized on the attached bid tabulation form.

FINANCIAL IMPACT:

Dog Park Construction Budget: \$49,754.00

Cost: <u>\$27,450.00</u>

This is a budgeted item in the parks operations budget. Although the construction budget is \$49,754, staff anticipates that final cost for the project will be in the neighborhood of \$40,000 since the concrete work is being donated.

BACKGROUND:

This project involves construction of 1,186 linear feet of vinyl coated chain link fencing with (3) 16 foot wide gates for TXU service truck access, and (5) 4 foot wide pedestrian gates as shown on the attached site plan/aerial view. Approximately 300 feet of fencing was added to the scope of work when the park was moved to the east to create a noise buffer zone.

The work is scheduled for completion in July.

RECOMMENDATION:

Allied Fencing recently completed new fencing on the north side of Addison Circle Park to fence in the special event vendor parking area. In addition, they have successfully completed fencing work for the City of Plano and the City of Dallas. Staff recommends approval.

Attachments: Bid Tabulation Form

Site Plan/Aerial Photo

Fencing of Easement Dog Park Bid No. 06-24

DUE: May 23, 2006

2:30 PM

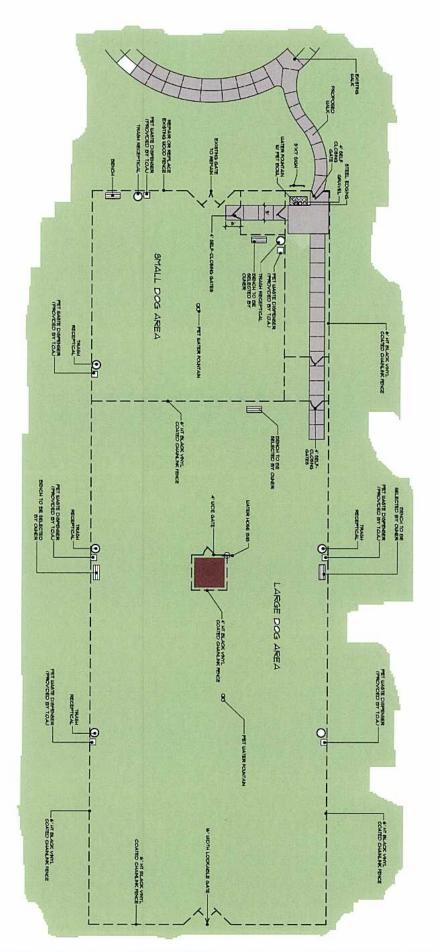
bi8 lsto⊤	\$27,450.00	\$28,849.00	\$34,392.00	\$37,992.53	
bangi2	У	λ	λ	λ	
BIDDER	Allied Fence Co. of Dallas	Wall Enterprises	Richardson Bros.	Acceleron Fence LLC	

Shanna N. Sims

Shanna N. Sims, Strategic Services Manager

Katie Roller

Witness



(1) PRELIMINARY

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DOG PARK addison, texas



PROJECT NAME	DOG PARK
PROJECT NUMBER	TOA-0501
REVISIONS	12-01-05

1 inch equals 40 feet





Future Dog Park

SUMMARY:

Staff recommends that the Council award a bid totaling \$54,300 to Allied Builders Inc. for painting of 25 poles on the Blueprints sculpture. The total bid includes the base bid of \$48,100, plus the additive alternate number 1 of \$6,200. The bids are summarized on the attached bid tabulation form.

FINANCIAL IMPACT:

Project Budget:

\$60,000.00

Cost:

\$54,300.00

This is a budgeted item in the parks operations budget.

BACKGROUND:

This project involves painting and sealing of 25 poles on the Blueprints sculpture, not including the art panels. The are panels were not included in the FY 2005-2006 budget. The structure was painted six years ago using a Sherwin Williams industrial and marine acrylic polyurethane coating system. Based on the staff's research, 6 to 10 years of useful life is typical for a coating system on a metal structure with similar exposure and color.

The Sherwin Williams commercial paint representative who inspected the structure with staff found that the current coating system is in good condition. He recommended repainting using the same coating system, but to also apply a final UV resistant, acrylic clear coat to provide color and gloss protection to prolong the new paint finish. The faded, chalky appearance of the structure is caused by ultraviolet light that breaks down deeper colors faster than lighter colors. Alternate number 1 involves applying the acrylic clear coat.

The pole painting will involve temporary lane closure of the inside lane next to the roundabout from 9 a.m. to 4 p.m. each day except on weekends. One lane will remain open at all times. Businesses on Addison Circle Drive and Quorum Drive will be notified of the work, which is expected to begin July 5, 2006, and completed by Mid-September if weather permits.

RECOMMENDATION:

Allied has been in business since 1978, and all of their references responded favorably, including the Better Business Bureau. The past project reference that matched closest to the scope of this project was the City of Garland Wastewater Treatment Division. Allied completed a contract valued at \$100,000 for Garland involving painting and industrial coating of metal piping at one of their wastewater treatment plants. Other references included the City of Dallas and the Dallas Housing Authority. Staff recommends approval.

Attachments: Bid Tabulation Form

Painting of Blueprints Sculpture Bid No. 06-20

DUE: May 23, 2006

2:00 PM

BIDDER	bno8 bi8	Signed		Base Bid	Γ# əវsπ1əវIA	Calendar Days
Allied Builders Inc.	χ	У	ઝ	48,100.00	\$ 6,200.00	0 40
Jonesco Inc.	>	>	ક્ક	62,688.00	\$ 7,537.00	0 50
M. Danny Harrison, Inc.	Y	>	છ	84,037.00	\$ 20,870.00	0 65
	-				5:	

Smith Painting was disqualified since their bid was not signed.

Shanna N. Sims

Shanna N. Sims, Strategic Services Manager

Katie Roller

Witness

SUMMARY:

This item is to award a contract to Northstar Construction, Inc. for Miscellaneous Pavement Repairs to various streets.

FINANCIAL IMPACT:

Budgeted Amount: \$120,000

Contract Amount: \$109,778

This project is funded for 2006 in the Street Operations Budget.

BACKGROUND:

On an annual basis the Street Division contracts the removal and replacement of failed concrete pavement on various Town streets. This project is designed to repair pavement failures on Midway Road, Quorum Drive and Lindbergh Drive, a total of 25 failures. On May 30, 2006 bids were opened for Miscellaneous Pavement Repairs; Bid # 06-23, for repairs to various streets. The Town received three bids. The low bid (\$55,951.40) was from West Texas Rebar Placers. West Texas Rebar Placers has reexamined their submittal, recognized that they underestimated the manpower and materials necessary to make the repairs, and have asked to withdraw their bid. The second low bid (\$109,778) was from Northstar Construction, Inc. Northstar has previously performed well on similar work in town.

RECOMMENDATION:

Staff recommends awarding this contract in the amount of \$109,778 for Miscellaneous Pavement Repairs to Northstar Construction, Inc.

Miscellaneous Pavement Repairs Bid No. 06-23

DUE: May 30, 2006

2:00 PM

bi8 lstoT	\$ 55,951.40	\$ 109,778.00	\$ 151,304.00	
bid Bond	У	>	χ	
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BIDDER	West Texas Rebar Placers	Northstar Construction, Inc.	Gibson & Associates	

Shanna N. Sims

Shanna N. Sims, Strategic Services Manager

Val Benavides

Witness

Citizen Acade. , Graduates All Classes

Class	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA00	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA02	CA04
Email Address	anne.adams@worldspan.com	irbrlb@msn.com	HCBtex@aol.com	gbruneman@aol.com		vgburk@attbi.com	hallf0367@aolcom	kkgassett@worldnet.att.net		nhewitt@us.ibm.com	ghirsch@ci.addison.tx.us	ahoelle@hotmail.com		Bob_Karl@msn.com	Elizabeth@knott.org	mark_macmullen@hotmail.com	iniemann@e-rewards.com	bevrob2@aol.com	shomble@aol.com	vbwallace@comcast.net	lashley@pnbfinancial.com	Bob-baumann@atti.com	t.bernstein@sbcglobal.net	Steve@frontlineimaging.com	griffon@dallas.net	blbradyl@aol.com	TKBrauns@attbi.com	TKBrauns@attbi.com	baracole@aol.com		Rhenedri@AllLCCisco.com	bjacoby@yahoo.com	thinkskj@worldnet.att.net	ursula3ita@aol.com	Krafthouse@aol.com	crockie@swbell.net		Roger@mellownet.com	fancitoo@attbi.com	ibpnh20@aol.com	skip1019@aol.com			jabailey@mtiamerica.com
OfficePhone	9723869656	9723867944	9729808106	9724897678			9725962732	2142372015		9722806716	4693846531	*/-		9726874788	2145056555	9727016308	2147822850	9728512181	9724232225	9729802665	9727321989	9728669199	N/A	9727206645	9727596492			9725292444		9724886791	4692551817	2146511447	9722392239	9725712801	9729915800		9722326023	9723875785		9724041034	9726057526	9726224340		9726618472
HomePhone	9723863954	9723867944	9729808106	9722333304	9722333304	9724908517	9723804912	9722489513	9724904326	9729341260	4693740717	9722478106	9723851835	9727611292	9729606408	9727358507	9723873135	9723929460	9722480243	9724507038	9728183712	9728660070	9724069677	2143947827	8724889444	9724886791	9723850706	9723850706	9723871557	9724886791	9724903389	9722334536	9722392239	9723850171	9727261812	9723874244	9726615485	9723875785	9722436068	9722441833	9727884083	9726224340	9722412857	2147271347
diZ	752	75001-3132	75001-3101	75254	75254	75001-4904	75001-6101	75001-6213	75001-3152	75001-4901	75001-3116	75001-3105	75001-6677	75001-3379	75254	75001-5943	75254-7673	75001-7945	75001-5033	75001-4911	75001	75001	75001	75001	75001	75001	75001	75001	75254	75001	75001	75001	75001	75001	75254	75001	75001	75254	75001	75001	75254	75001	75001-7955	75001
State	ΧL	X	×	×	Ϋ́	ΤX	X	X	ΤX	ΤX	×	X	ΧL	X	ΤX	ΤX	ΤX	×	XΙ	ΧŢ	Υ	X	X	ΤX	TX	X	ΤX	ΤX	ΤX	X	ΤX	×	×	ΤX	XL	XL	X	X	ΤX	X	X	×	×	×
City	Dallas	Addison	Addison	Dallas	Dallas	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Dallas	Addison	Dallas	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Addison	Dallas	Addison	Addison	Addison	Addison	Addison	Dallas	Addison	Addison	Dallas	Addison	Addison	Dallas	Addison	Addison	Addison
Suite							Apt. 102	Apt. 262					Apt. 1921	Apt. 4236 Addison		Apt. 1101																												
Street	14893 Oaks North Dr.	14637 Lexus Ave.	3918 Bobbin Ln.	14848 Winnwood Rd.	14848 Winnwood Rd.	4007 Winter Park Ln.	4815 Westgrove Dr.	16301 Ledgemont Ln.	4102 Pokolodi Cir.	4014 Morman Ln.	14713 Sherlock Dr.	3914 Azure Ln.	4910 Goodman Ave.	15658 Witt PI.	14925 Oaks North Dr.	16300 Ledgemont Ln.	14921 Bellbrook Dr.	4040 Morman Ln.	17037 Knots Landing	14820 Le Grande Dr.	17091 Upper Bay Road	4004 Sherry Lane	3875 Weller Run Ct.	17030 Planters Row	3796 Lakeway Ct.	3876 Weller Run Ct.	14616 Lexus Avenue	14616 Lexus Dr.	15022 Bellbrook Drive	3876 Weller Run Ct.	4090 Oberlin Way	4016 Rive Lane	3911 Bobbin Lane	14616 Heritage	14726 Celestial PI.	4130 Proton 50-B	14625 Lexus Avenue	14840 Lochinvar Drive	14664 Bentwater Ct.	14677 Wayside Ct.	14770 Maiden Ct.	15720 Artist Way #4912	3785 Waterford Drive	4093 Oberlin Way
LastName	Adams	Barrett	Bradbury	Bruneman	Bruneman	Burkhardt	Burkle	Gassett	Groce	Hewitt	Hirsch	Hoelle	Jeffcoat	Karl	Knott	MacMullen	Niemann	Roberts	Schaffer	Wallace	Ashley	Baumann	Bernstein	Blum	Bourgeois	Brady	Braun	Braun	Colegrove	French	Hendrickson	Jacoby	Jones	Kelley	Kraft	Marchenko	Mathews	Mellow	Miles	Parker	Robbins	Silver	Walden	Bailey
FirstName	Anne	Judy	Brad	Gilbert	Merle	Virgil	Wendy	Karen	Linda	Neil	Gregory	Andrew	Richard	Robert	Elizabeth	Mark	Jimmy	Beverly	Kathleen	Virginia	Rainey	Bob	Ted	Stephen	Griffon	B.L.	Anita	Tom	Barbara	Patricia	Roberta	Bob	Sheridan	Ursula	Dennis	Irina	Barbara	Roger	Margaret	John	Skip	Phyllis	Donald	John

Citizen Acade. , Graduates All Classes

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t.bernstein@sbcglobal.net	Frog4900@aol.com	jim-christensen@webtv.net	m.day7@comcasst.net	m.day7@comcasst.net	Christdefrancisco@frostbank.com	KLFARRER@EV1.net	genaf@comcast.net	<u>n/a</u>	ghoelle@yahoo.com	AJANDURA@swbell.net	n/a	TCM51@msn.com	dan.moulton@comcast.net	bianca.noble@verizon.com	snoble 99@yahoo.com	calicatnortone@yahoo.com	bperrybap@comcast.net	SJSILVER@swbell.net	RBS99@aol.com	lynnstokes@comcast.net	atinnin@swbell.net	Loriward@Deloitte.com	wheelerskw@comcast.net	teresawilkin@yahoo.com	alan.b.wood@sbcglobal.net	Wood family@sbcglobal.net		jrbrlb@msn.com	laurel.brewster@dal.frb.org								blbrady1@aol.com				jandura@swbell.net			
n/a	9724208314	9726503434			2145154964	n/a	9727536841	n/a	n/a	9727020202	n/a	2145618731	9726207523	9724533186	9723851880	2143609951	4692313353	9724580400	n/a	2147682270	9727649386	2148407188	n/a	n/a	2145593900	n/a	N/A	9723867944			9729970700					9723073229	9723927561	9724889990	9728889382					9727132895
9724069677	9722475968	9726201270	97240-0959	9724060959	9723923572	9727139293	9722500127	9722432861	9722478106	9727020202	9723851835	9722395882	9726207523	9723858573	9723858573	9722474047	9724881862	9722430023	9722479667	9726207523	9723874244	9723929295	9725036777	2146931503	9729912911	9729912911	9722503178	9723867944			9726207098	9722472988	9722413905	9722471384	9729609015	9722339722	9723927561	9724889991	9726209755		9727020202		9722410964	9722484799
75001	75001	75001	75001	75001	75001	75001	75001	75001	75001	75254	75001	75001	75001	75001	75001	75001	75001	75001	75001	75001	75001	75254	75254	75001	75001	75001	75001	75001-3132	75001-7901	75001	752001	75001	75001	75001-7902	75254	75001-3103	75001-3104	75001	75001	75001	75254	75001-3104	75001	75001
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						#301					#1921										#20-B				8		Apt. 434											#1025						
3875 Weller Run Ct.	3781 Waterside Ct.	3880 Emerald Ct.	14593 Blueberry Ct.	14593 Blueberry Ct.	3917 Bobbin Ln.	4815 Westgrove Dr.	17031 Knots Landing	3728 Brookhaven Club Dr.	3914 Azure Ln.	14936 Oaks North Dr.	4910 Goodman Ave.	14857 Towne Lake Cir.	3901 Azure Ln.	4008 Bobbin Ln.	4008 Bobbin Ln.	14640 Waterview Cr.	3837 Azure Ln.	3822 Canot Ln.	3832 Park PI.	3901 Azure Ln.	4130 Proton Dr.	14801 Lake Forest Dr.	14925 Havenshire PI.	4133 Towne Green Cir.	14609 Lexus Ave.	14609 Lexus Ave.	17200 Westgrove Dr.	14637 Lexus Ave.	3822 Azure Ln.	3822 Azure Lane	383 Lakeview Court	3883 Weller Run Ct.	3734 Brookhaven Club Dr.	3817 Azure Ln.	5656 Celestial Rd.	4006 Bobbin Ln.	4015 Bobbin Ln.	14700 Marsh Ln.	3880 Lakeview Ct.	14639 Waterview Circle	14936 Oaks North Dr.	4015 Bobbin Ln.	3834 Azure Lane	17030 Vinland Dr.
Bernstein	Brewster	Christensen	Day	Day	DeFrancisco	Farrer	Fulmer	Gilbreth	Hoelle	Jandura	Jeffcoat	Meier	Moulton	Noble	Noble	Norton	Perny	Silver	Srulevitch	Stokes	Tinnin	Ward	Wheeler	Wilkin	Wood	Wood	Attuguayefio	Barrett	Brewster	Brewster	Brown	Caris	Cluck	Cummings	Daseke	Doepfner	Edrich	三	Holmes	Hughes	Jandura	Jeffers	Mason	Meleky
Cathy K.	Robert D.	James R.	Alessandra	Michael	Chris	Kathryn	Gena Lou	Carlena	Glenda	Albert	Richard E.	Todd C.	Daniel	Bianca	Scott	Cathy A.	Teresa	Sandra	Sheldon	Sara Lynn	Alden D.	Lori	Kathryn	Teresa J.	Alan	Katherine	Stanley	Bob	Laurel	Robert	Lary	John	Doreen	John	Don	Carol	Mary	Bonnie	David	Charles	Paula	John	Robert	John

Citizen Acade. J Graduates All Classes

CA98	CA98	CA98	CA98	CA98
9726630500	2148558205			
75001-3116 9727749534	9724843628	9724881914	9723850421	
75001-3116	75001	75001-7952	75001	75001
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Addison	Addison	Addison	Addison	Addison
14723 Sherlock Dr.	3768 Waterford Dr.	3796 Waterford Dr.	4021 Azure Lane	3868 Lakeview Ct.
O'Neill	Petty	Saunders	Tuma	Wilcox
Karen	Peggy	Dee	Joan	Dale

2002 Graduates	2004 Graduates
aduates	aduates
1998 Graduates	2000 Graduates

PLANNING AND ZONING COMMISSION

Ted Bernstein

3875 Weller Run Court Addison, TX 75001-7931 (H) (972) 406-9677 Term Expires: 04/12/2007 – 2nd Term KRAFT

Roger Chafin

3761 Park Place Addison, TX 75001-4002 (H) (972) 488-8828 Term Expires: 04/25/2008 – 2nd Term NIEMANN

Don Daseke

5656 Celestial Road Dallas, TX 75254-7614 (H) (972) 960-9015 (W) (972) 866-9423 Term Expires: 08/23/2007 – 1st Term BRAUN

Carol Doepfner

4006 Bobbin Lane Addison, TX 75001-7931 (H) (972) 233-9722 (W) (972) 307-3229 Term Expires: 02/10/2006 – 3rd Term HIRSCH

Revised: 8/25/05

Paula Jandura

14936 Oaks North Drive Dallas, TX 75254-7632 (H) (972) 702-0202 Term Expires: 03/25/2007 – 2nd Term MALLORY

Todd Meier Vice Chairman

14857 Towne Lake Circle Addison, TX 75001-4951 (W) (214) 561-8730 Term Expires: 03/08/2007 - 1st Term

MELLOW

Alan Wood Chairman

14609 Lexus Avenue Addison, TX 75001-3132 (W) (214) 269-3114 Term Expires 04/12/2007 – 1st Term CHOW

Carmen Moran Staff Liaison

P.O. Box 9010 Addison, TX 75001-9010 (W) (972) 450-7018 Fax (972) 450-7043

Citizen Acade. , Graduates All Classes

FirstName	LastName	Street	Suite	City	State	diZ	HomePhone	OfficePhone	Email Address	Class
Anne	Adams	14893 Oaks North Dr.		Dallas	X	75254	9723863954	9723869656	anne.adams@worldspan.com	CA00
Judy	Barrett	14637 Lexus Ave.		Addison	X	75001-3132	9723867944	9723867944	jrbrlb@msn.com	CA00
Brad	Bradbury	3918 Bobbin Ln.	6	Addison	X	75001-3101	9729808106	9729808106	HCBtex@aol.com	CA00
Gilbert	Bruneman	14848 Winnwood Rd.		Dallas	> > 0	75254	9722333304	9724897678	gbruneman@aol.com	CA00
Merle	Bruneman	14848 Winnwood Rd.		Dallas	X	75254	9722333304			CA00
Virgil	Burkhardt	4007 Winter Park Ln.		Addison	X	75001-4904	9724908517		vgburk@attbi.com	CA00
Wendy	Burkle	4815 Westgrove Dr.	Apt. 102	Addison		75001-6101	9723804912	9725962732	hallf0367@aolcom	CA00
Karen	Gassett	16301 Ledgemont Ln.	Apt. 262	Addison	X	75001-6213	9722489513	2142372015	kkgassett@worldnet.att.net	CA00
Linda	Groce	4102 Pokolodi Cir.		Addison	X	75001-3152	9724904326			CA00
Neil	Hewitt	4014 Morman Ln.		Addison	X	75001-4901	9729341260	9722806716	nhewitt@us.ibm.com	CA00
Gregory	Hirsch	14713 Sherlock Dr.		Addison	X	75001-3116	4693740717	4693846531	ghirsch@ci.addison.tx.us	CA00
Andrew	Hoelle	3914 Azure Ln.		Addison		75001-3105	9722478106	Į.	ahoelle@hotmail.com	CA00
Richard	Jeffcoat	4910 Goodman Ave.	Apt. 1921	Addison	X	75001-6677	9723851835)	CA00
Robert	Karl	15658 Witt PI.	Apt. 4236 Addison	Addison		75001-3379	9727611292	9726874788	Bob Karl@msn.com	CA00
Elizabeth	Knott	14925 Oaks North Dr.		Dallas	ΙX	75254	9729606408	2145056555	Elizabeth@knott.org	CA00
Mark	MacMullen	16300 Ledgemont Ln.	Apt. 1101		TX	75001-5943	9727358507	9727016308	mark_macmullen@hotmail.com	CA00
Jimmy	Niemann	14921 Bellbrook Dr.		Dallas	X	75254-7673	9723873135	2147822850	iniemann@e-rewards.com	CA00
Beverly	Roberts	4040 Morman Ln.		Addison		75001-7945	9723929460	9728512181	bevrob2@aol.com	CA00
Kathleen	Schaffer	17037 Knots Landing		Addison	X	75001-5033	9722480243	9724232225	shomble@aol.com	CA00
Virginia	Wallace	14820 Le Grande Dr.		Addison		75001-4911	9724507038	9729802665	vbwallace@comcast.net	CA00
Rainey	Ashley	17091 Upper Bay Road		Addison	×	75001	9728183712	9727321989	lashlev@pnbfinancial.com	CA02
Bob	Baumann	4004 Sherry Lane		Addison	X	75001	9728660070	9728669199	Bob-baumann@atti.com	CA02
Led	Bernstein	3875 Weller Run Ct.		Addison	X	75001	9724069677	N/A	t.bernstein@sbcglobal.net	CA02
Stephen	Blum	17030 Planters Row		Addison		75001	2143947827	9727206645	Steve@frontlineimaging.com	CA02
Griffon	Bourgeois	3796 Lakeway Ct.		Addison	ΙX	75001	8724889444	9727596492	griffon@dallas.net	CA02
B.L.	Brady	3876 Weller Run Ct.		Addison	ΤX	75001	9724886791		blbradyl@aol.com	CA02
Anita	Braun	14616 Lexus Avenue		Addison	X	75001	9723850706		TKBrauns@attbi.com	CA02
Lom	Braun	14616 Lexus Dr.		Addison	ness/	75001	9723850706	9725292444	TKBrauns@attbi.com	CA02
Barbara	Colegrove	15022 Bellbrook Drive		Dallas	NO.	75254	9723871557		baracole@aol.com	CA02
Patricia	French	3876 Weller Run Ct.		Addison	ΧL	75001	9724886791	9724886791		CA02
Roberta	Hendrickson	4090 Oberlin Way		Addison		75001	9724903389	4692551817	Rhenedri@AIILCCisco.com	CA02
Bob	Jacoby	4016 Rive Lane		Addison		75001	9722334536	2146511447	bjacoby@yahoo.com	CA02
Sheridan	Jones	3911 Bobbin Lane		Addison		75001	9722392239	9722392239	thinkskj@worldnet.att.net	CA02
Ursula	Kelley	14616 Heritage		Addison		75001	9723850171	9725712801	ursula3ita@aol.com	CA02
Dennis	Kraft	14726 Celestial PI.		Dallas	a - 50	75254	9727261812	9729915800	Krafthouse@aol.com	CA02
Irina	Marchenko	4130 Proton 50-B		Addison		75001	9723874244		crockie@swbell.net	CA02
Barbara	Mathews	14625 Lexus Avenue		Addison		75001	9726615485	9722326023		CA02
Roger	Mellow	14840 Lochinvar Drive		Dallas		75254	9723875785	9723875785	Roger@mellownet.com	CA02
Margaret	Miles	14664 Bentwater Ct.		Addison	1830-0	75001	9722436068		fancitoo@attbi.com	CA02
John	Parker	14677 Wayside Ct.		Addison	1000	75001	9722441833	9724041034	jbpnh20@aol.com	CA02
Skip	Robbins	14770 Maiden Ct.		Dallas	X	75254	9727884083	9726057526	skip1019@aol.com	CA02
Phyllis	Silver	15720 Artist Way #4912		Addison	10.000	75001	9726224340	9726224340		CA02
Donald	Walden	3785 Waterford Drive		Addison	90	75001-7955	9722412857			CA02
John	Bailey	4093 Oberlin Way		Addison	XT	75001	2147271347	9726618472	jabailey@mtiamerica.com	CA04

Citizen Acade. , Graduates All Classes

Citizen Acade. J Graduates All Classes

CA98	CA98	CA98	CA98	CA98
9726630500	2148558205			
9727749534	9724843628	9724881914	9723850421	
75001-3116	75001	75001-7952	75001	75001
×	×	×	X	×
Addison	Addison	Addison	Addison	Addison
14723 Sherlock Dr.	3768 Waterford Dr.	3796 Waterford Dr.	4021 Azure Lane	3868 Lakeview Ct.
O'Neill	Petty	Saunders	Tuma	Wilcox
Karen	Peggy	Dee	Joan	Dale

2002 Graduates	2004 Graduates
1998 Graduates	2000 Graduates

BOARD OF ZONING ADJUSTMENT

MEMBERS

Corie Ewing

4000 Bobbin Lane Addison, TX 75001-4901 (H) 972-386-7741

Term Expires: 03-08-2007 - 3rd Term

W. David Griggs

14605 Dartmouth Court Addison, TX 75001-4439 (W) 214-979-9378 (H) 972-406-9667

Term Expires: 03-08-2007 - 3rd Term

Charles "Chick" Martin

14810 Lochinvar Drive Dallas, TX 75254-7528 (H) 972-733-3177

Term Expires: 12-13-2007 - 2nd Term

Maggie McQuown

14600 Brookwood Lane Addison, TX 75001-0234 (W) 972-247-0234 Term Expires: 4-11-2008 2nd Term

Beverly Roberts

4040 Morman Lane Addison, TX 75001-3103 (W) 972-851-2181 (H) 972-392-9460

Term Expires: 03-08-2007 2nd Term

ALTERNATES

Virgil Burkhardt

4007 Winter Park Lane Addison, TX 75001-4904 (H) 972-490-8517 Term Expires: 9-28-2006 1st Term

Joel Davis

4067 Beltway Drive #148 Addison, TX 75001-4920 (W) 214-743-5427 (H) 972-490-0440 Term Expires: 9-28-2006 – 1st Term

William Green

3845 Canot Lane Addison, TX 75001-7904 (H) 972-454-3284

Term Expires: 9-28-2006 – 1st Term

Carmen Moran Staff Liaison

P.O. Box 9010 Addison, TX 75001-9010 (W) (972) 450-7018 Fax (972) 450-7043

DEPARTMENT: Development Services

SUMMARY:

Staff recommends approval of an ordinance amending the City's zoning ordinance, Appendix A, or the Code of Ordinances of the Town of Addison, as amended, by adopting zoning district regulations for the Belt Line Road corridor.

FINANCIAL IMPACT:

No financial impact.

BACKGROUND:

The Town is almost to the end of a process that has taken several months and many hours of work by both the Planning and Zoning Commission and the City Council. As the attached schedule reflects, the Council is at the second step in this three-step process. It adopted the Goals and Policies for the Comprehensive Plan on March 28, 2006. The staff is now recommending the Council take the second step, which is the adoption of the Belt Line Corridor zoning district regulations. Whereas the Goals and Policies were a policy document, these new regulations will actually provide for legal zoning changes to properties along the Belt Line Road corridor.

Once the regulations are adopted, the Council has one more step, which is the adoption of the regulating plan, and amendment to the Comprehensive Plan. The regulating plan, which establishes the streets, public spaces, and transportation components of the Belt Line Road corridor, will be reviewed by the Planning and Zoning Commission on June 22, 2006, and should be forwarded to the Council by June 27, 2006.

RECOMMENDATION:

Staff recommends approval of an ordinance amending the City's zoning ordinance in order to adopt the regulations for the Belt Line Road corridor zoning district

Schedule for Adopting Form-Based Code Date Action

August 25, 2005	First Presentation by Dennis Wilson to P&Z on the concept of a form-based code
September 19, 2005	P&Z Work Session with Dennis Wilson and Paris Rutherford on design ideas for Belt Line Road
November 17, 2005	P&Z Work session and Public Hearing on the Comprehensive Plan policies
December 13, 2005	Joint Work Session between P&Z and Council on Goals and Policies for Comprehensive Plan
January 12, 2006	P&Z Work session and Public Hearing on the Comprehensive Plan policies and form-based code
January 23, 2006	P&Z Work session on text for Form-Based Code
February 21, 2006	Public Meeting at the Conference and Theatre Centre on Goals and Policies for the Comprehensiave Plan
March 23, 2006	Ordinance adopting Goals and Policies for the Comprehensive Plan recommended for approval by the Planning and Zoning Commission
March 28, 2006	Goals and Policies for the Comprehensive Plan approved by the Council
May 8, 2006	Joint work session between P&Z and Council on the form-based code and discussion of implementation strategy
May 25, 2006	Form-based Code recommended for approval by P&Z
June 13, 2006	Form-based Code approved by Council
June 22, 2006	Regulating plan for Comprehensive Plan recommended for approval by P&Z
June 27, 2006	Regulating plan for Comprehensive Plan approved by Council

TOWN OF ADDISON, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CITY'S ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS, AS AMENDED, BY ADOPTING ZONING DISTRICT REGULATIONS FOR THE BELT LINE ROAD CORRIDDOR; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, retail and restaurant development along the Belt Line Road corridor has been an important economic engine for the City of Addison; and

WHEREAS, such facilities now appear to be in decline, due to competition for similar uses from neighboring cities; and

WHEREAS, it is essential for the economic well-being of the community to revitalize the Belt Line Road corridor; and

WHEREAS, it is anticipated that there is strong market for mixed residential and non-residential development within the corridor; and

WHEREAS, whereas the corridor may conceptually be divided into four sub-districts that create a sense of identity and provide an opportunity to focus reinvestment along the corridor; and

WHEREAS, development of the corridor may further be enhanced through encouragement of development around future transit centers and by focusing investment on entry features and design features; and

WHEREAS, the Town has retained consultants and commissioned a study to develop recommendations concerning development of the Belt Line Road corridor; and

WHEREAS, the City Council following public hearing, which was convened on March 28, 2006, and upon the favorable recommendation of the Planning and Zoning Commission, amended the Town's Comprehensive Plan by incorporating policies concerning development of the Belt Line Road corridor and an accompanying map designating sub-districts (the "Plan Amendments") by Ordinance No. 006-014; and

WHEREAS, the City Council and Planning and Zoning Commission have held numerous workshops to consider zoning district regulations that implement the Plan Amendments ("Belt Line District Regulations"); and WHEREAS, after considering the information submitted and public testimony presented at the public hearing convened on March 28, 2006, concerning the Belt Line District Regulations, and all other relevant information and materials, the City's Planning and Zoning Commission has recommended that the City Council adopt the Belt Line District Regulations; and

WHEREAS, the City Council, after due notice, convened a public hearing on June 13, 2006, to consider the recommendation of the Planning and Zoning Commission on the Belt Line District Regulations and to take public testimony thereon; and

WHEREAS, after taking public testimony and due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the public testimony, information and other materials received at the public hearing, the City Council has concluded that adoption of Belt Line District Regulations is in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS THAT:

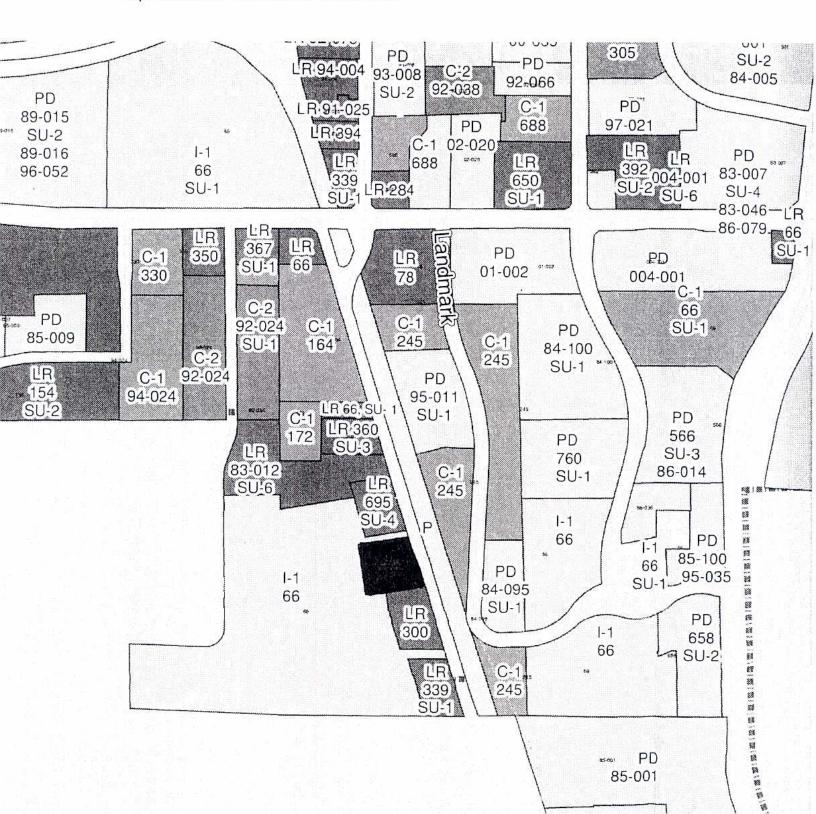
- Section 1. <u>Incorporation of Premises</u>. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.
- Section 2. <u>Belt Line District Regulations</u>. The Zoning Ordinance of the Town of Addison, Texas, being Appendix A of the Code of Ordinances of the Town of Addison, Texas, as amended, is hereby further amended by incorporating the Belt Line District Regulations, attached hereto and incorporated by reference herein as <u>Exhibit A</u>.
- Section 3. No Other Amendment; Savings. Except for the amendments and changes made herein, the Zoning Ordinance is not otherwise amended hereby, and all other provisions thereof and the other classifications shall remain in full force and effect. This Ordinance shall be cumulative of all other ordinances of the City and shall not any of the provisions of those ordinances except in those instances where the application of those ordinances are in direct conflict with the provisions of this Ordinance, in which case the provisions of this Ordinance shall supercede existing standards.
- Section 4 <u>Severability</u>. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
- Section 5. <u>Effective Date</u>. This Ordinance shall become effective from and after its date of passage and publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 13th day of June, 2006

	Joe Chow, Mayor	
ATTEST:		
By:		
Carmen Moran, City Secretary		

FINAL PLAT/Inwood Auto/Beverage Addition, Lots 1 & 2, Block A

<u>FINAL PLAT/Inwood Auto/Beverage Addition, Lots 1 & 2, Block A</u>. Requesting approval of a final plat for two lots on 1.8128 acres, located at 14731-14741 Inwood Road, on application from Doug Connally and Associates, Inc., represented b Mr. Robert Richardson.





Post Office Box 9010

Addison, Texas 75001-9010

5300 Belt Line Road

(972) 450-7000

FAX (972) 450-7043

May 22, 2006

STAFF REPORT

RE: FINAL PLAT/Inwood

Auto/Beverage Addition, Lots 1 &

2, Block A

LOCATION: Two lots on 1.8128 acres, located

at 14731-14741 Inwood Road

REQUEST: Approval of a final plat

APPLICANT: Doug Connally Associates,

represented by Mr. Robert

Richardson

DISCUSSION:

<u>Background</u>. The site is currently one lot under one ownership. The owner seeks to plat off the front building, which is zoned local retail, and sell it to the Majestic Liquor Store operators. He then would keep the back lot, which is zoned Industrial-1, and is leased to Addison Automotive. The tracts were developed prior to the city having any landscaping requirements, and are thus both "grandfathered" as to landscaping.

This plat was presented to the Planning and Zoning Commission in March. It was denied at that time because it did not meet the requirements of the Subdivision Ordinance. The Ordinance requires that all newly-created lots meet all requirements of the zoning ordinance. Slade Strickland examined the site and found that the front portion, or lot, which is zoned Local Retail, had 10% landscaping (requirement is 20%) and the back lot, which is zoned Industrial-1, had no landscaping (requirement is 10%). The staff sent a letter to the applicant explaining that the plat did not meet the requirements of the subdivision ordinance with regard to zoning. The staff also recommended to the Commission that the plat be denied so that the applicant could not claim tould not claim that the plat was not acted on within 30 days, and was, by state law, deemed approved.

The subdivision ordinance provides that any newly-created lot "reflecting a condition not in conformity with applicable zoning regulations shall not be approved until any available relief from the board of adjustment has been finally obtained." On May 11, 2006, this applicant was granted a "available relief" in the form of a variance to the landscaping requirements by the Board of Zoning Adjustment. Therefore, the plat can now be approved, subject to the standard technical conditions.

<u>Public Works Review</u>. The Public Works Department has reviewed the plat, and recommends it forward for approval subject to the following revisions:

- A statement must appear on the plat describing what was used for the horizontal control.
- 2. The plat must be signed and sealed by the registered surveyor.
- 3. The plat shall be re-labeled a Final Plat.

RECOMMENDATION:

Staff recommends approval of the proposed Final Plat on application from Doug Connally Associates, subject to the conditions listed above.

Respectfully submitted,

Carmen Moran

Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on May 25, 2006, voted to recommend approval of the final plat on application from Doug Connally and Associates, subject to the following conditions:

A statement must appear on the plat describing what was used for the horizontal control.

The plat must be signed and sealed by the registered surveyor.

The plat shall be re-labeled a Final Plat.

Voting Aye: Bernstein, Chafin, Daseke, Doepfner, Meier, Wood

Voting Nay: None

Absent: Jandura

SUMMARY:

Council approval is requested of a resolution authorizing the city manager or his designee to execute an electric supply contract for the 2007 and 2008 calendar years.

FINANCIAL IMPACT:

The Town of Addison spends approximately \$900,000 annually in electric power costs. Through its association with the Cities Aggregation Power Project (CAPP), the Town has been able to realize savings for the past five years averaging 25% over the price-to-beat (PTB) rates of the incumbent provider, TXU. Similar savings are anticipated for the term of the next power agreement.

BACKGROUND:

CAPP is a consortium of over 80 local governments that was created in 2001 with the deregulation of electric power in Texas. By aggregating the power load of these governments, CAPP is able to negotiate favorable pricing of electric power. Despite almost five years of deregulation, a robust market for power generation has yet to mature in Texas. To obtain more competitive proposals, CAPP in 2004 developed a bifurcated request for proposals (RFP) that separated the retail electric provider services from the wholesale supply of electric power. A similar RFP has been distributed this year and CAPP's consultants are in the process of negotiating the most favorable agreement with the various market competitors. In Texas the price of electric power is directly linked to the price of natural gas. It is anticipated CAPP will approve selection of a provider sometime in the next two to three months depending on when natural gas futures contracts are at their lowest point for the 2007 and 2008 deliveries. Because of the volatile nature of natural gas prices, pricing of power is very time-sensitive. CAPP member cities will need to take immediate action to accept or reject the awarded contract. REPs maintain that any given offer will only be available for a 24-hour period. The attached resolution is a necessary step in positioning the city to capture the price that CAPP is able to achieve from its negotiations with REPs.

RECOMMENDATION:

The resolution authorizes the city manager or, in his absence, a designee to sign an electric power agreement. The designee will be Randy Moravec, the Town's director of financial and strategic services and member of the CAPP Board. It is recommended Council approve the attached resolution.

TOWN OF ADDISON, TEXAS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. (CAPP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2007; AUTHORIZING THE CITY MANAGER OR OTHER DESIGNATED CITY OFFICIAL TO SIGN A CONTRACT WITH CAPP FOR THE TOWN OF ADDISON'S 2007 AND 2008 ELECTRICITY NEEDS; AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2007 AND 2008 AND TO HONOR THE TOWN OF ADDISON'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2007 AND 2008 THROUGH CAPP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (City) is a member of Cities Aggregation Power Project, Inc. (CAPP), a nonprofit political subdivision corporation dedicated to securing electric power for its more than 86 members in the competitive retail market; and

WHEREAS, CAPP negotiated favorable contract terms and a reasonable commodity price for delivered electricity since 2002 resulting in significant savings off of the Price to Beat (PTB) rate for its members; and

WHEREAS, while the CAPP Board and CAPP consultants are continuing to investigate long term contracting options, CAPP members must secure short term (2007 and 2008) power supplies or revert to high price standard contracts and independently shop for a power contract; and

WHEREAS, experience gained by the CAPP Board indicates that entering into a wholesale power contract, as distinct from a retail contract, effective January 1, 2007 may provide for greatest potential savings for CAPP members and facilitate an ultimate transition to fixed price long term agreements; and

WHEREAS, potential wholesale power providers desire to execute a contract with one, and only one, entity rather than have unique contracts for each CAPP member; and

WHEREAS, CAPP believes that the pricing opportunity window for favorable 2007 deliveries under either a wholesale or retail agreement will be short-lived (in the late spring – early summer time period) and that CAPP must be able to commit contractually to prices within a 24-hour period in order to lock-in favorable prices; and

WHEREAS, experiences in contracting for CAPP load since 2002 demonstrated that Retail Electric Providers demand immediate response to an offer and may penalize delay with higher prices; and

WHEREAS, CAPP's current delivered energy prices provide savings when measured against the PTB rate, and aggregated rates contracted during favorable pricing periods are likely

TOWN OF ADDISON, TEXAS Page 1 of 2

RESOLUTION NO.	

to be lower than prices obtained by the City contracting individually during the same time period; and

WHEREAS, wholesale suppliers demand assurance that CAPP will pay for all contracted load; and

WHEREAS, the Town of Addison needs to assure CAPP that it will budget for energy purchases in 2007 and 2008 and honor its commitments to purchase power for its electrical needs in 2007 and 2008 through CAPP.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

- **Section 1**. The CAPP Board and its consultants and advisors will evaluate for the City wholesale power supply contract options for 2007 and 2008 as compared to a retail electric delivery contract for 2007 and, if feasible, 2008.
- **Section 2.** The City will execute a contract with CAPP that permits the CAPP Board and its consultants and advisors to negotiate and sign the 2007 and 2008 electric power agreement for the City's electricity needs as a member of CAPP and commits its 2007 and 2008 load pursuant to the contract recommended and approved by the CAPP Board of Directors.
- **Section 3.** Subject to the annual appropriation by the City Council of revenues sufficient to pay the City's load under the supply agreement (whether wholesale or retail) arranged by CAPP, the City will pay electricity costs proportionate to the City's load under the supply agreement (whether wholesale or retail) arranged by CAPP and signed by the Chairman of CAPP for the City.
- **Section 4.** A copy of this Resolution shall be sent to Mary Bunkley with the City Attorney's office in Arlington and Geoffrey M. Gay, legal counsel to CAPP.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this thirteenth day of June, 2006.

	Joe Chow, Mayor	
ATTEST:		
3y:		
Carmen Moran, City Secretary		
APPROVED AS TO FORM:		
Ву:		
Ken Dippel, City Attorney		

SUMMARY:

Council approval is requested of a contract with the law offices of Linebarger, Goggan, Blair, and Sampson, LLP, for legal services associated with the collection of delinquent taxes.

FINANCIAL IMPACT:

There is no net financial impact related to this item since delinquent taxpayers will pay all attorney fees.

BACKGROUND:

Ad valorem taxes are levied in October each year, and they are considered delinquent on February 1st. On February 1st, the Town assesses a 7% penalty and interest fee on any delinquent taxes. An additional 2% penalty is assessed for each month that taxes are delinquent through June. If delinquent taxes are not paid by July 1st, the Town will assess a cumulative 18% penalty and interest fee on the unpaid balance. In addition, the Town will also assess a 20% collection fee for attorney costs related to the collection of delinquent accounts as of July 1st. The total penalty for delinquent taxes, therefore, is 38% for any unpaid balance as of July 1st. An additional 1% penalty and interest fee is assessed each month thereafter for all unpaid taxes.

Since delinquent taxpayers pay all collection fees, the Town does not absorb any additional costs related to attorney collection fees. The law office of Robert L. McCallum has performed the Town's delinquent property tax collection function since 1992. In April 2006, the firm notified the Town that it would not longer be performing these services effective July 1, 2006. As such, the Town is required to select a new law firm to pursue the collection of our delinquent property tax accounts.

Linebarger, Goggan, Blair, and Sampson, LLP, has represented Dallas County since 1984, and currently serves 48 other taxing entities in Dallas County including the Dallas Independent School District. As a result, the firm has extensive knowledge and experience related to Addison property tax collections. For this reason, we recommend that the Council authorize a contract with the law offices of Linebarger, Goggan, Blair, and Sampson, LLP, for the collection of delinquent taxes.

RECOMMENDATION:

Staff recommends approval of a contract with the law offices of Linebarger, Goggan, Blair, and Sampson, LLP, for legal services associated with the collection of delinquent taxes.

LAW OFFICES OF

ROBERT L. MCCALLUM

4560 BELT LINE ROAD SUITE 320 ADDISON, TEXAS 75001-4524

TELEPHONE (972) 233-2833 TELECOPIER (972) 233-3093

April 17, 2006

Mr. Randy Moravec Director of Finance Town of Addison 5350 Beltline Road Dallas, Texas 75254

Re: Tax Collection

Dear Randy:

As you are aware, I am currently under contract with the Town of Addison to collect its delinquent taxes. The most recent contract was executed in September of 2003. The collection of taxes requires a large amount of staff time to monitor the files. Most of this work has fallen on Kaye to perform. She has informed me that she intends to leave my employment in May of 2006. I do not believe that I could continue to do the tax work without her support. Therefore, I respectfully request that the Town seek another firm to handle its tax collection work. Since the tax accounts would be referred to me in the month of July for collection, I believe this would be an appropriate time to transfer collection of these files to a new firm.

If you have any questions concerning this matter please do not hesitate to call me.

Sincerely yours,

Robert L. McCallum RLM/kc

cc: Ron Whitehead

CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES

THE STATE OF TEXAS

§

COUNTY OF DALLAS

THIS CONTRACT is made and entered into by and between the **TOWN OF ADDISON**, a home rule City, acting herein by and through its governing body (hereinafter called "CITY") and **LINEBARGER GOGGAN BLAIR & SAMPSON**, **LLP** (hereinafter called "FIRM").

I.

CITY agrees to employ and does hereby employ FIRM to enforce by suit or otherwise the collection of all delinquent taxes, penalty and interest owing to CITY, provided current year taxes falling delinquent within the period of this Contract shall become subject to its terms on the first day of July of the year in which the said taxes shall become delinquent, except as otherwise provided herein. Lawsuits and bankruptcy cases filed before the first day of July shall include current year taxes as allowed by law. Such taxes are also subject to the terms of this Contract.

II.

FIRM is to call to the attention of the collector or other officials any errors, double assessments, or other discrepancies coming under their observation during the progress of the work, and is to intervene on behalf of CITY in all suits for taxes hereafter filed by any taxing unit on property located within its corporate limits.

III.

FIRM agrees to file suit on and reduce to judgment and sale any property located within CITY against which a tax lien would prevail provided, the CITY will furnish the necessary data and information as to the name, identity and location of the necessary parties, and legal

description of the property to be sold. The FIRM agrees to sue for recovery of the costs and court costs as provided by Tex. Prop. Tax Code Sec. 33.48 (Vernon 2006).

IV.

FIRM agrees to make annual progress reports to CITY and to advise CITY of all cases where investigation reveals taxpayers to be financially unable to pay their delinquent taxes.

V.

CITY agrees to pay to FIRM as compensation for services required hereunder twenty percent (20%) of the amount of all delinquent taxes, penalty, and interest, for tax years 2003 and thereafter, actually collected and paid to the collector of taxes during the term of this Contract, as and when collected. The CITY agrees to pay FIRM as compensation hereunder fifteen (15%) of the amount of all delinquent taxes, penalty and interest collected for the tax years 2002 and prior. All compensation above provided for shall become the property of the FIRM at the time of payment of taxes, penalty and interest is made to the collector. The collector shall pay over said fund monthly by check.

The CITY may, at its sole discretion; turn over to FIRM selected accounts for collection prior to July 1, except as otherwise provided in Section I herein. CITY agrees to pay the FIRM as compensation for collection activities on these accounts, including tax seizures pursuant to which the compensation is a cost of the seizure, an amount equal to twenty percent (20%) of the taxes actually collected.

In bankruptcy proceedings, eminent domain proceedings or other federal receiverships, CITY agrees to pay the FIRM as compensation for collection activities on these accounts, an amount equal to twenty percent (20%) of the taxes actually collected.

On a selected basis, the CITY may also turn over to the FIRM for collection other receivables, such as mowing liens, paving assessments, nuisance abatement liens, utility billings

and filing miscellaneous bankruptcy claims. If requested by the CITY, the FIRM will provide these other collection services and CITY agrees to pay to FIRM as compensation for such miscellaneous receivable account collection services twenty percent (20%) of all amounts (including the principal owed, plus interest owed thereon) collected from debtors or recovered through foreclosure of liens on debtor's property under this section.

VI.

This term of this Contract shall become effective on July 1, 2006 and shall continue thereafter until terminated by either party.

VII.

Either party to this Contract shall have the right to and may terminate this Contract for cause, by giving at least thirty (30) days written notice of such intention, with a statement of the cause or reasons for such termination. The FIRM shall have a reasonable opportunity to cure and/or rectify the underlying basis for termination. In the event of termination, FIRM shall be entitled to receive and retain all compensation due up to the date of said termination.

On termination of this contract, FIRM shall have an additional six (6) months after termination to reduce to judgment all suits filed prior to the date last mentioned, and provided further that FIRM shall handle to conclusion all suits in which trial court judgments are obtained during the period of this contract and which are appealed by any party. In consideration of the terms and compensation herein stated, FIRM hereby accepts said employment and undertakes the performance of this contract as above written.

VIII.

The contract shall be construed in accordance with the laws of the state of Texas; and venue for any action shall be Dallas County, Texas.

WITNESS the sig	gnatures of all parties hereto in triplicate originals this, the	day
of	, AD 2006, DALLAS COUNTY, TEXAS.	
TOWN OF ADDISON		
BY:		
TITLE:		
DATED:	1	
LINEBARGER GOGGA	N BLAIR & SAMPSON, LLP	
BY:		
TITLE:		
DATED:		

SUMMARY: Presentation of the proposed Belt Line corridor

revitalization strategies.

FINANCIAL IMPACT:

N/A

BACKGROUND:

Leland Consulting has been working with the Town to develop recommended strategies and tools for implementing the redevelopment of the Belt Line corridor. At the June 13 meeting, Leland Consulting will complete the presentation and provide their final recommendations and next steps for implementing the recommended strategies. Following this meeting a staff recommendation regarding the proposed strategies will be developed for Council review and

consideration.

RECOMMENDATION:

N/A